



SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

September 13, 2013

ATTN: Dr. Karl E. Longley, Chair of the Board

To: Central Valley Regional Water Quality Control Board

11020 Sun Center Drive, Suite 200

Rancho Cordova, CA

95670

RE: New Waste Discharge Requirements

Dear Mr. Longley,

The San Joaquin Farm Bureau Federation (SJFB) is a private, non-profit membership based advocacy organization serving approximately 4,100 agricultural and associate members in San Joaquin County. Many of our members are local farmers who rely heavily on irrigation to maintain their crops. Until now, growers have been operating under a waiver to the Waste Discharge Requirements and groundwater quality has improved. Much of this success can be attributed to the voluntary efforts to apply new irrigation technology on many farms and education and outreach to growers in our region.

Seeing the large improvements that have been made in both farm management practices and, subsequently, groundwater quality, it is with tremendous surprise that the administrative draft of the Waste Discharge Requirements is such a large departure from current trends. We are particularly skeptical of the Nitrogen management plan reporting requirements, farm management plan reporting requirements and the enforcement section of the new regulation. We also have suggestions regarding the implementation of the WDR.

The Nitrogen management plan, as outlined in the draft and by RWQCB staff at recent grower meetings, is unworkable for farmers. It is cost-prohibitive and serves no meaningful purpose in the improvement of water quality. The WDR calls for farmers to set a budget of Nitrogen and then to have this budget or plan certified.

The budget serves no practical purpose as it is produced at the beginning of a growing season. This concept makes no allowances for unforeseen circumstances that may cause a grower to be either over or under budget. It is much more sensible to only require growers to track their actual usage, as that provides a more accurate picture of Nitrogen application.

This section of the requirement also calls for these budgets to be certified. The Board must be more specific on who may certify these plans. The Board must afford growers a self-certification plan for so that they may certify their own plan. Doing so would be prudent as it serves a dual purpose for the

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Board as growers will have the opportunity to be educated about groundwater and it would increase compliance because it would be more straightforward and more cost effective for small growers who would otherwise not be able to afford to have a consultant certify their plan.

The current Nitrogen budget requirement is nothing short of a complete and total administrative encumbrance for a farmer and do not serve to improve water quality.

Secondly, we strongly oppose the farm management practices reporting requirement. Farm management practices are inherently unique to growers, depending on the crop and land that they are growing on. For many reasons, farmers choose to keep their individual farm management practices private as they are generally determinative of yield and specific practices implemented by growers seek to give them a competitive edge of over similarly situated farmers. Furthermore, the requirement to report all farm management practices is unnecessarily overbroad as it forces a grower to report practices that are unrelated to water quality. Because the business interests of the farmers outweigh the competing interest of the RWQCB, we oppose this section of the regulation.

We also find the enforcement called for by this regulation to be entirely inappropriate. The WDR requires all growers to keep copies of their farm and nitrogen management plans at the principle place of business. For many farmers, the principle place of business is their home. It is entirely beyond the scope of the RWQCB's regulatory authority to demand access to any person's home. For this reason, the Board must create a new means of ensuring compliance with the regulations that call for maintaining documents at the place of business.

Our goal is to help our growers understand and comply with the new WDR, and we believe that the Board and staff need to direct their efforts to ensuring a seamless interface of the new regulation with existing ones. Many growers utilize software to synthesize and summarize data. Unfortunately, the use of popular software programs is precluded by the per crop/per parcel reporting requirement. This technology does not exist. It would be beneficial to farmers if they were able to use more common methods of reporting (something that could coincide with their APN number). Altering the method of reporting would also enhance compliance, as it would be one streamlined process for growers and at the same time it would have no effect on the information the Board receives as it is reported on a township basis anyway. Moreover, there are rural areas of San Joaquin County that require farmers to use paper forms. We ask that the Board ensure these forms are readily accessible and understandable for growers who must use them and that they be accepted by the Board.

We thank the Board for the consideration of our comments in regards to the new Waste Discharge Requirements. We respectfully encourage the Board to reconsider the nitrogen management plan and farm management plan reporting requirements in the current administrative draft and to revise the basis on which information is reported so that growers can comply with the new regulation in a manner to which they are accustomed.



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Sincerely,

A handwritten signature in black ink, which appears to read "Jack Hannon", is positioned below the word "Sincerely,".

President

San Joaquin Farm Bureau Federation

Cc:

Ms. Jennifer Lester Moffitt, Vice Chair

Mr. Jon Constantino

Ms. Sandra Meraz

Ms. Carmen Ramirez

Mr. Robert Schneider

Ms. Pamela Creedon

Mr. Kenneth Landau

Mr. Andrew Altevogt

Mr. Richard Loncarovich

Mr. Clay Rodgers

Mr. Clint Snyder